

**EXHIBIT H**

**Excerpts from deposition of Plaintiff A. D.**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

PETER DELVECCHIA, individually)	)	
and as next friend of A.D., a )	)	Case No.
Minor,	)	2:29-cv-01322-KJD-NJK
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
FRONTIER AIRLINES, INC., and )	)	
JOHN DOES 1 through 5,	)	
inclusive,	)	
	)	
Defendants.	)	
_____	)	

VIDEOTAPED DEPOSITION OF A.D.  
Taken on Tuesday, January 28, 2020  
At 10:02 o'clock a.m.  
At 9950 West Cheyenne Avenue  
Las Vegas, Nevada

Reported by: Helen M. Zamba, CCR #439

<p style="text-align: right;">Page 78</p> <p>1 A. Yes. So I'm -- he was sitting right next to 2 the aisle. 3 Q. And what did Scott say to you? 4 A. Um, well, number one, I kept asking can I -- 5 can I go back to my seat. And the first few times, he 6 was doing something else, and he was ignoring me. 7 And then -- and then I kept saying that man 8 is my father. And I kept saying that. And then I 9 don't know what he was doing, but he was doing 10 something else. 11 And then he came back to me, and I kept 12 saying that man is my father. And I really wasn't 13 listening on what he was saying to me. 14 But he was saying something to me, but I 15 caught that Scott Warren told me that that man was 16 putting his hand over your crotch. 17 And he was showing me by putting his hand 18 over my crotch. And that's when I was really freaked 19 out. 20 And I was really freaked out, so I wasn't 21 really listening on what he was saying. But all I 22 remember was he was just saying that that man is trying 23 to hurt me or something else. 24 Q. Okay. So -- so Scott explained that he moved 25 you because he was concerned for your safety?</p>	<p style="text-align: right;">Page 80</p> <p>1 because -- and number one, he never will. But I had my 2 jacket over me. 3 And it was tucked under me, so no, he never 4 did. 5 Q. Well, I'm just asking do you recall -- 6 A. No. He never did. 7 Q. Okay. You don't recall that. 8 MR. McKAY: Objection to the form of the 9 question. 10 THE WITNESS: What you do you mean by I don't 11 recall? 12 Q. (BY MR. MAYE) Well, you're -- you're -- 13 you're -- from you -- from your knowledge, you have no 14 memory or recollection that this happened. 15 MR. McKAY: Objection to the form. Now 16 you're trying -- 17 MR. MAYE: Or -- 18 MR. McKAY: -- to trick him. 19 MR. MAYE: No, no, I'm definitely not. 20 MR. McKAY: You definitely are. 21 MR. MAYE: I'm not. 22 MR. McKAY: Stop it. 23 MR. MAYE: I am not trying to trick him. 24 MR. McKAY: He has testified that it never -- 25 MR. MAYE: John --</p>
<p style="text-align: right;">Page 79</p> <p>1 MR. McKAY: Objection to the form. 2 THE WITNESS: No. 3 Q. (BY MR. MAYE) He moved you because that man 4 was trying to hurt you? Is that -- that's what you 5 just testified to. 6 MR. McKAY: Objection to the form. 7 THE WITNESS: No. He moved me because -- 8 well, yes. He moved me because he thought my dad, he 9 wasn't -- he didn't say he was my dad. 10 He just said that person was trying to molest 11 me, hurt me, something like that. I don't know. 12 Q. (BY MR. MAYE) He had his hand on your 13 crotch? 14 A. He didn't have it on -- 15 Q. No, no, no. I'm saying -- I'm saying 16 Scott said he moved you because he saw your father's 17 hand on his -- on your crotch. 18 A. Yes, on my crotch -- 19 Q. Okay. That's -- 20 A. -- he said -- 21 Q. -- what he told you. Okay. 22 A. I believe, yes. 23 Q. And do you recall your father having his hand 24 on your crotch? 25 A. He never did. And it was never possible,</p>	<p style="text-align: right;">Page 81</p> <p>1 MR. McKAY: -- happened. 2 MR. MAYE: Okay. I'm not -- 3 MR. McKAY: That's his -- 4 MR. MAYE: -- trying to -- 5 MR. McKAY: -- testimony -- 6 MR. MAYE: -- trick him. 7 MR. McKAY: -- it's on the record, it's -- 8 MR. MAYE: Okay. 9 MR. McKAY: -- under oath. 10 MR. MAYE: Okay. Okay. Okay. 11 MR. DELVECCHIA: John -- 12 MR. McKAY: No -- 13 MR. DELVECCHIA: -- can we -- 14 MR. McKAY: -- you can't. We'll talk in a 15 minute. 16 Q. (BY MR. MAYE) During your interactions with 17 Scott, did he treat you well? 18 A. No. 19 Q. And when you say no, what you -- what is that 20 based on? 21 A. Well, when a person tells you that he's my 22 father, and he's crying and saying that, it's kind of 23 obvious that oh, I should probably take him back to his 24 seat. 25 And then not put his hand over a kid's crotch</p>

<p style="text-align: right;">Page 82</p> <p>1 and say this is what that bad man was doing.</p> <p>2 Q. Okay. So after -- after Scott told you why</p> <p>3 you were moved, did you talk to Scott again?</p> <p>4 A. No. No. I don't remember. I don't remember</p> <p>5 talking to him, because I was freaked out about what</p> <p>6 happened and under stress.</p> <p>7 And all I remember is just looking out the</p> <p>8 window.</p> <p>9 Q. And you said that at some point, you saw</p> <p>10 Scott talking with your father.</p> <p>11 A. Yes.</p> <p>12 Q. Was that after Scott spoke with you?</p> <p>13 A. Can you hold that for a second? Um, so</p> <p>14 before Scott talked to me, I did see him talk to my</p> <p>15 father.</p> <p>16 That's when my father tried to come down to</p> <p>17 talk to me.</p> <p>18 Q. I'm sorry. So you -- so Scott was talking to</p> <p>19 you?</p> <p>20 A. No. That's not what --</p> <p>21 Q. Okay.</p> <p>22 A. -- I said.</p> <p>23 Q. Let me --</p> <p>24 A. I said before Scott talked to me --</p> <p>25 Q. Uh-huh.</p>	<p style="text-align: right;">Page 84</p> <p>1 A. Yes. My dad said that.</p> <p>2 Q. And then -- and then you said something about</p> <p>3 Scott screwing something up or something?</p> <p>4 A. Screwing -- no. No, Scott just saying no,</p> <p>5 no, he's not. Just the -- just saying that. I don't</p> <p>6 remember what else they were saying. All I remember</p> <p>7 was that exactly that.</p> <p>8 Q. Okay. Okay.</p> <p>9 A. What I -- what I mean by screwing things up</p> <p>10 was just saying -- having reasons that -- that my dad</p> <p>11 was wrong, that's all.</p> <p>12 Q. Okay. Okay. And then -- then you spoke with</p> <p>13 Scott?</p> <p>14 A. Yes. My dad left and --</p> <p>15 Q. Uh-huh.</p> <p>16 A. -- went back to his seat. Um, then he spoke</p> <p>17 to me. But it was -- it wasn't right away. It was a</p> <p>18 few minutes later.</p> <p>19 Q. And what did you say to Scott, in response to</p> <p>20 whatever he said to -- to you?</p> <p>21 A. So you're asking what did I tell him when he</p> <p>22 asked me a question?</p> <p>23 Q. Right. After -- after he said to you hey,</p> <p>24 this is why you were moved, what did you tell Scott?</p> <p>25 A. I told Scott that man is my dad. And can I</p>
<p style="text-align: right;">Page 83</p> <p>1 A. -- before he did anything --</p> <p>2 Q. Uh-huh.</p> <p>3 A. -- with his hands or anything --</p> <p>4 Q. Uh-huh.</p> <p>5 A. -- like that, my father tried to come down to</p> <p>6 talk --</p> <p>7 Q. Okay.</p> <p>8 A. -- to me. But somebody got up -- he was --</p> <p>9 like the man that -- it was a different man --</p> <p>10 Q. Uh-huh.</p> <p>11 A. -- I don't know who --</p> <p>12 Q. Uh-huh.</p> <p>13 A. -- I don't really know what he looked like,</p> <p>14 but a man got up to block my dad. And Scott Warren was</p> <p>15 talking to him behind the man. That's what I remember.</p> <p>16 Q. Okay. And do you recall what was being</p> <p>17 said?</p> <p>18 A. Well, my dad was pointing at me. And, um,</p> <p>19 all I kind of remember was that he was saying to them,</p> <p>20 that kid is my son.</p> <p>21 And Scott Warren saying -- trying to just</p> <p>22 screw things up and saying no, no. That's all I</p> <p>23 remember.</p> <p>24 Q. Okay. So your -- your father said to Scott,</p> <p>25 hey, this is my son --</p>	<p style="text-align: right;">Page 85</p> <p>1 go back to my seat. And all I remember was just saying</p> <p>2 that.</p> <p>3 Q. Okay. And you don't recall speaking with</p> <p>4 Scott again --</p> <p>5 A. No.</p> <p>6 Q. -- after that. Did you speak with any other</p> <p>7 flight attendants?</p> <p>8 A. No.</p> <p>9 Q. And you said that when your father was</p> <p>10 interacting with Scott after you were separated, it</p> <p>11 clicked that it was due to your being black and his</p> <p>12 being white; correct?</p> <p>13 A. Yes.</p> <p>14 Q. And -- and -- and was -- was there something</p> <p>15 about the -- the conversation or interaction with Scott</p> <p>16 and your father --</p> <p>17 A. No.</p> <p>18 Q. -- that led --</p> <p>19 A. I'm sorry. Sorry.</p> <p>20 Q. That's --</p> <p>21 A. -- keep going.</p> <p>22 Q. -- that led you to believe that you were</p> <p>23 moved because you were black and he was white?</p> <p>24 A. So you're asking -- can you ask the question.</p> <p>25 That's really confusing in my head. Can you ask it</p>